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OCT 31 2003

TECHNOLOGY CENTER R3700

Docket No.: 000166.0109-US01  
(PATENT)

3743 BJ



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
David Edwards, et al.

Application No.: 10/268,059

Group Art Unit: 3743

Filed: October 10, 2002

Examiner: S. Dagostino

For: INHALATION DEVICE AND METHOD

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Fee Transmittal;
2. Request for Correction of Inventorship under 37 C.F.R. 1.48(b);
3. Check No. 319641 for \$130.00 to cover the processing fee to correct inventorship under 37 C.F.R. 1.17(i); and
4. Return receipt postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0109-US01. A duplicate copy of this paper is enclosed.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: October 28, 2003

Respectfully submitted,

By 

Andrea G. Reister

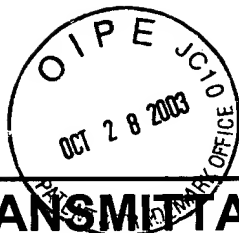
Registration No. 36,253

COVINGTON & BURLING

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000



Use in lieu of PTO/SB/17 (08-03)  
(Form updated to reflect FY 2004 fees effective 10/1/03)

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

## Complete if Known

Application Number 10/268,059-Conf. #9536  
Filing Date October 10, 2002  
First Named Inventor David Edwards  
Examiner Name S. Dagostino  
Art Unit 3743  
Attorney Docket No. 000166.0109-US01

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 50-0740

Deposit Account Name Covington & Burling

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims	Fee from below	Fee Paid
28	-130** =		x	0.00
Independent Claims	2	-15** =	x	0.00
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 130.00

## SUBMITTED BY

Name (Print/Type) Andrea G. Reister

Registration No. (Attorney/Agent)

36,253

## (Complete if applicable)

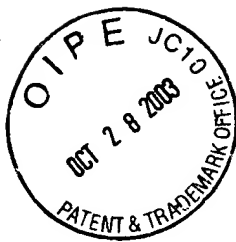
Telephone (202) 662-6000

Signature

*Andrea G. Reister*

Date

October 28, 2003



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In re Patent Application of:  
David Edwards, et al.

Application No.: 10/268,059

Confirmation No.: 9536

Filed: October 10, 2002

Art Unit: 3743

For: INHALATION DEVICE AND METHOD

Examiner: S. Dagostino

**REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. 1.48(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request under 37 C.F.R. § 1.48(b) that the inventorship of the above-captioned application be corrected to delete inventors whose inventions are no longer being claimed. Please delete the following individuals from the list of inventors for the above-captioned application:

Foshee, David L.

Durkin, Jason R.

Coker, Tim

Stapleton, Kevin

Jones, Andrew

McManus, Ryan

10/30/2003 ZJUHR1 00000015 10268059

01 FC:1460

130.00 OP

DC: 1044538-1

Saunders, Margaret Millar

Spaller, Robert W.

Ziegler, Andrew

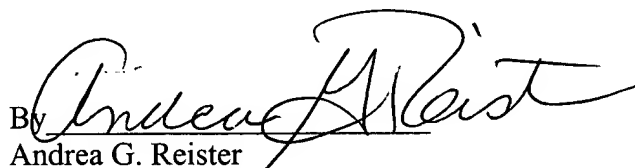
The correct inventors were named at the time of filing the above-captioned application. The Response to Restriction Requirement filed August 22, 2003 resulted in cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention now being claimed. The actual inventors of the invention now being claimed are David Edwards, Colleen Conlon, Sarah Dreesen, and Mark DeLong.

This request is accompanied by the processing fee set forth in 37 C.F.R. § 1.17(i). The U.S. Patent and Trademark Office is hereby authorized to charge any deficiency or credit any overpayment to our Deposit Account No. 50-0740, under Docket No. 000166.0109.US01.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740, under Docket No. 000166.0109.US01.

Dated: October 28, 2003

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